

The attached Appendix includes marked-up copies of each rewritten claim (37 C.F.R. §1.121(c)(1)(ii)).

Rejection under §112, second paragraph

The Office Action rejects claims 1, 13-14, 21-22 and 25-28 under 35 U.S.C. §112, second paragraph, as being allegedly indefinite. Applicant respectfully traverses this rejection.

Applicant respectfully submits that no proper basis has been given for the rejection of claims 1, 13, 21-22 and 25-28 under §112, second paragraph. None of these claims recites "specific portion." Thus, it is unclear how the phrase "specific portion" is being read into claim 1, 13, 21-22 and 25-28. Claim 14 is the only claim that recites "specific portion." Since there are no other claims that depend from claim 14, there are no other claims that can properly be construed to recite "specific portion."

The Office Action has not only read the language of dependent claim 14 into the independent claim 13, from which claim 14 depends, but has also read the language into independent claim 1, which is not related to through any dependency to claim 14. In order to reject claims 21-22 and 25-28 on the basis set forth in the Office Action, the language of claim 14 must be read through independent claim 13 into claims 21-22 and 25-28. Clearly, extensive contortion of the language of the claims is required in order to read the claims in the manner asserted by the Office Action. However, the Office Action has failed to state any basis for construing the claims in the manner asserted. Thus, given the absence of an appropriate basis for rejecting claims 1, 13, 21-22 and 25-28, withdrawal of the rejection with respect to these claims is respectfully requested.

In addition, without admitting to the propriety of the rejection and solely in the interest of expediting prosecution, claim 14 is amended. The term "specific" has been deleted from "specific portion." Thus, as amended, the claim indicates that the substrate comprises a

portion that is recognized and hydrolyzed by an enzyme having hexoseaminidase activity and a marker portion. Applicant submits that further description of the substrate is unnecessary. Hexoseaminidases are known to catalyze the hydrolysis of terminal nonreducing N-acetyl-D-hexosamine residues in N-acetyl- β -D-hexosaminides. Since the enzyme activity is well defined, one skilled in the art would be clearly be able to determine the portion of the substrate that is cleaved by the enzyme. Thus, Applicant submits that "portion that is hydrolyzed by the enzyme" is sufficient to indicate to one skilled in the art what is encompassed by the claim.

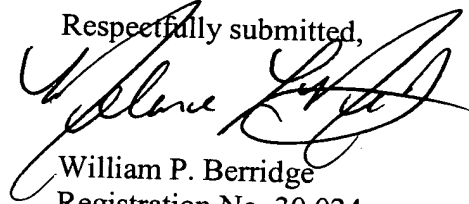
In view of the amendment of claim 14, Applicant submits that the rejection is overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

In view of the foregoing amendments and remarks, Applicant submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1 - 28 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,



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Attachment:
Appendix

Date: August 9, 2002

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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APPENDIX

Changes to Claims:

The following is a marked-up version of the amended claim:

14. (Amended) Medium according to Claim 13, in which each substrate consists of (a) a ~~specific~~ portion that is hydrolyzed by the enzyme and (b) a marker portion, characterized in that the marker portion of the first substrate is different from the marker portion of the second substrate.